

### **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed June 3, 2004 (Paper No. 10). Upon entry of this response, claims 1, 3, 5-11, 13-15, and 22-35 are pending in the application. Claims 1, 5, 10, and 13 have been amended, claims 22-35 have been added, and claims 2, 4, 12, and 16-21 have been cancelled. Applicants respectfully request that the amendments being filed herewith be entered and request that there be reconsideration of all pending claims.

1. **Rejection of Claims 1-21 under 35 U.S.C. §103**

Claims 1-21 have been rejected under §103(a) as allegedly obvious over *Ludovici* (U.S. 6,567,849) in view of *Waters* (U.S. 6,564,216). Applicants respectfully submit that these rejections have been overcome by the claim amendments made herein, or have been rendered moot by claim cancellation. It is well established at law that, for a proper rejection of a claim under 35 U.S.C. § 103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly, all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

a. **Claims 1, 5, 10, and 13**

1) **The proposed combination does not disclose, teach, or suggest a “server inventory database.”**

*Ludovici* does not disclose, teach, or suggest using at least a “server inventory database.” *Ludovici* discloses an administration server that allows web-enabled system components to be configured via a browser. (Col. 1, lines 20-25, lines 60-65; Col. 2, lines 1-10). *Ludovici* does

not use the term “database,” but Applicants will assume that the Office Action teaches that the various instance files and configuration files in *Ludovici* are equivalent to a database.

Even assuming, *arguendo*, that these files are equivalent to a database, there is no teaching in *Ludovici* that the files contain data related to server inventory. *Ludovici* states that a web page is filled in with appropriate values from configuration file 316, instance file 318, global attributes file 325. (Col. 5, lines 45-50). FIGs. 9-14 show web pages built from configuration/instance/attribute files. Applicants respectfully assert that in *Ludovici*, the data displayed on and modified at these web pages (e.g. min/max server jobs, welcome page, file protection settings, MIME types) is related to server operational parameters.

In contrast, Applicants’ claimed invention, as defined by claims 1, 5, 10, and 13, relates to server inventory. “As will be explained in additional detail below, the database 29 advantageously stores information about the hardware and software configuration and the activity of at least some of the hosting servers 22, 24, and 26. This information may include, for example, server serial number, server model, server facility location, server location within a facility, server speed, server memory capacity, server traffic, and server software configuration.” (Specification, p. 7, lines 13-17). “Additional information such as processor type, hard drive information, or any other characteristic of the nature of the server hardware may also be displayed.” (Specification, p. 17, lines 24-26).

Amended claim 1 recites “a server inventory database.” Amended claim 5 recites “information related to the inventory of said servers.” Amended claim 10 recites “a first database storing server hardware inventory information regarding said plurality of servers.” Amended claim 13 recites “storing server hardware inventory information regarding a plurality of servers in a first centralized database.” Although *Ludovici* appears to disclose data related to

server configuration, Applicants can find no teaching of server inventory information in *Ludovici*.

*Waters* also fails to teach, suggest or disclose at least a “server inventory database.” *Waters* teaches, at most, a database accessed by DNS and DHCP servers that contains configuration information (Col. 1, lines 30-35; Col. 50-60), which “ may include DNS and DHCP parameters, other server parameters, IP addresses, domain names, the operational status of servers that have successfully logged in to the network and the like.” (Col. 3, line 67 to Col. 4, line 5).

Accordingly, the proposed combination of *Ludovici* in view of *Waters* does not teach at least the claimed limitations of a “server inventory database” as recited in claims 1, 5, 10, and 13. Since the proposed combination of *Ludovici* in view of *Waters* does not teach at least the above-described features recited in claims 1, 5, 10, and 13, a *prima facie* case establishing an obviousness rejection by *Ludovici* in view of *Waters* has not been made. Therefore, Applicants respectfully submit that amended claims 1, 5, 10, and 13 overcome the rejection, and the rejection should be withdrawn.

2) The proposed combination does not disclose, teach or suggest “said database configured to allow access to a first portion of the database by first user and access to a second distinct portion by a second user.”

*Ludovici* does not disclose, teach, or suggest using at least a “said database configured to allow access to a first portion of the database by first user and access to a second distinct portion by a second user.” *Ludovici* discloses an administration server that allows web-enabled system components to be configured via a browser. (Col. 1, lines 20-25, lines 60-65; Col. 2, lines 1-10).

*Ludovici* describes the system as follows:

For example, a plurality of instances of Internet connection servers (ICSs) exist at a site and need to be managed. A form is presented by the administration server listing this plurality of other servers,

and the user selects the instance (that is, the other server) he needs to administer (start, stop, change, add, delete). Upon selecting a server and an action, a page is presented or displayed at the browser by the administration server which will allow further configuration, the content of that page depending upon the action selected. (Col. 4, lines 14-23).

*Ludovici* thus allows a user to choose a server to be configured, but there is no teaching that the pages presented depend on which user is performing administration.

In contrast, Applicants' claimed invention, as defined by claims 1, 5, 10, and 13, allows "access to a first portion of the database by first user and access to a second distinct portion by a second user." "Advantageously, different people, identified by their login information, may be provided access to different portions of the database." (Specification. p. 17, lines 3-5). Thus, *Ludovici* fails to disclose, teach, or suggest every element of the Applicants' claimed invention.

*Waters* also fails to teach, suggest or disclose at least a "said database configured to allow access to a first portion of the database by first user and access to a second distinct portion by a second user." *Waters* teaches, at most, a database accessed by DNS and DHCP servers that contains configuration information (Col. 1, lines 30-35; Col. 50-60), which " may include DNS and DHCP parameters, other server parameters, IP addresses, domain names, the operational status of servers that have successfully logged in to the network and the like." (Col. 3, line 67 to Col. 4, line 5).

Accordingly, the proposed combination of *Ludovici* in view of *Waters* does not teach at least the claimed limitations of a "said database configured to allow access to a first portion of the database by first user and access to a second distinct portion by a second user" as recited in claims 1, 5, 10, and 13. Since the proposed combination of *Ludovici* in view of *Waters* does not teach at least the above-described features recited in claims 1, 5, 10, and 13, a *prima facie* case establishing an obviousness rejection by *Ludovici* in view of *Waters* has not been made.

Therefore, Applicants respectfully submit that amended claims 1, 5, 10, and 13 overcome the rejection, and the rejection should be withdrawn.

b. Claims 2, 4, 12, and 16-21

Claims 2, 4, 12, and 16-21 are cancelled without prejudice, waiver, or disclaimer, and the rejection of these claims is therefore rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicants so choose, and does not intend to dedicate any of the cancelled subject matter to the public.

c. Claims 3, 6-9, 11, 14, and 15

Since claims 1, 5, 10, and 13 are allowable, Applicants respectfully submit that claims 3, 6-9, 11, 14, and 15 are allowable for at least the reason that each depends from an allowable claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). Therefore, Applicants respectfully request that the rejection of claims 3, 6-9, 11, 14, and 15 be withdrawn.

2. Newly Added Claims

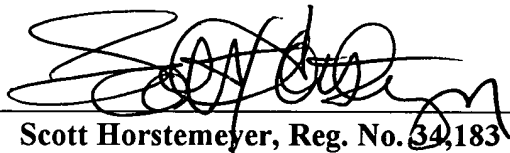
Applicants submit that new matter has been added in the newly added claims 22-35 and that newly added claims 22-35 are allowable over the cited prior art. Specifically, Applicants respectfully submit that since claims 1, 5, 10, and 13 are allowable for at least the reasons discussed above, claims 22-35 are allowable for at least the reason that each depends from an allowable claim. Therefore, Applicants request that the Examiner enter and allow the above new claims.

**CONCLUSION**

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and presently pending claims 1, 3, 5-11, 13-15, and 22-35 be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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